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IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE

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Application Number:	09/744,675
Applicants:	Edward L. Squires, Patrick M. McCue, George E. Seidel
Filed:	January 29, 2001
Title:	Equine System for Non-Surgical Artificial Insemination
TC/A.U:	1634
Examiner:	Carla J. Myers
Assignee:	XY, Inc.
Attorney Docket:	XY-Equine3-USNP
Customer No.:	33549

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Exhibit A

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**STATEMENT PURSUANT TO**

**37 C.F.R. § 1.104(c)(4)(iii) AND MPEP § 706.02(I)(2)**

MoFlo<sup>®</sup> flow cytometers as described in U.S. Patent No. 5,985,216 to Rens, et al. and the invention claimed in U.S. Patent Application No. 09/744,675, filed January 29, 2001, entitled "Equine System for Non-Surgical Artificial Insemination" were made by or on the behalf of parties to a joint research agreement, within the meaning of 35 U.S.C. 103(c)(3) and 37 C.F.R. 1.104(c)(4)(ii), that was in effect on or before the date the claimed invention was made, and the claimed invention was made as a result of activities undertaken within the scope of the joint research agreement.

Dated this 2<sup>nd</sup> day of April, 2008.

Respectfully submitted,  
SANTANGELO LAW OFFICES, P.C.

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